

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN HAMILTON, et al.

Plaintiffs,

CIVIL ACTION NO. 01-74698

-vs-

HONORABLE AVERN COHN

SUSAN HALL, et al.,

Defendants.

ORDER

On July 18, 2007, the Court considered the following two motions at a hearing:

- Plaintiffs' Motion to Compel Discovery (Dkt. # 208)
- Defendant Van Buren's Motion to Strike Plaintiffs' Damages Claim (Dkt. # 191)

For reasons stated on the record, the motion to compel is MOOT.

For reasons stated on the record, the motion to strike plaintiffs' damages claim is DENIED.

Three damage computation papers have been filed by plaintiffs:

1. The Rule 26(2)(B) Report of Landini, Reed & Dawson, P.C., dated June 18, 2007;
2. The Supplemental Rule 26(a)(2)(B) Report of Landini, Reed & Dawson, P.C., dated July 12, 2007; and
3. Plaintiffs' Supplemental Rule 26(a) Damages Consultation filed July 13, 2007 (Dkt. # 223-5).

These papers are sufficient at this point in the case to support the claim of damages of Jo-Bet, Inc. and Garter Belt, Inc. only.

The fact that the earnings of Jo-Bet, Inc. and Garter-Belt, Inc. for income tax purposes pass through to John Hamilton does not, as the record stands at this point, establish a claim of damages by John Hamilton. See Letter of July 19, 2007 to the Court.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: July 26, 2007

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, July 26, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160